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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fifty-second session

SUMMARY RECORD OF THE 555th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 2 October 2001, at 3 p.m.

Chairman: Mr. YIMER (Ethiopia)
(Vice-Chairman)

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In the Chairman's absence, Mr. Yimer (Ethiopia), Vice-Chairman, took the Chair

The meeting was called to order at 3.15 p.m.

STATEMENT BY THE HIGH COMMISSIONER (agenda item 4) (continued)

1. Mr. Eui-Yong CHUNG (Republic of Korea) commended the initiatives taken by the High Commissioner to strengthen the capability of UNHCR through the launching of Actions 1, 2 and 3. It was hoped that all States would respond positively and that it would then be possible to find better mechanisms to avoid the UNHCR's chronic budget shortfalls.

2. His delegation was pleased to note that UNHCR was trying to build on the accomplishments of the former High Commissioner, Ms. Ogata, in particular to enhance the organization's emergency preparedness and response capacity. In that respect, the potential refugee crisis in and around Afghanistan concerned the whole international community and his Government was currently working on UNHCR's appeal for emergency funding for a massive relief operation in the region.

3. As the High Commissioner had emphasized, the safety of humanitarian workers constituted another of the serious challenges facing the UNHCR. The tragic incidents involving UNHCR and ICRC personnel in the recent past were painful reminders of the serious security risks that such staff lived with on a daily basis. All States were called upon to take necessary measures to ensure the safety of humanitarian workers in close cooperation with the UNHCR.

4. Given the complex nature of the current refugee problem, it was timely and appropriate that the UNHCR had launched the Global Consultations on International Protection. Of particular interest to his delegation were complementary forms of protection. In some areas of the globe there were people who lived in refugee-like situations outside their countries of origin, but were not formally recognized as refugees. The international community should put more emphasis on the protection of those people on humanitarian grounds.

5. Since joining the United Nations in 1991, the Republic of Korea had been a consistent supporter of humanitarian assistance and protection programmes based on the principle of international solidarity and burden-sharing. It was clear that the UNHCR could not face the numerous challenges arising from refugee situations on its own. The effective performance of its functions could only be achieved through well-coordinated cooperation with States, international agencies and NGOs. The Republic of Korea would continue to support and cooperate with the UNHCR in its efforts to strengthen international cooperation.

6. Mr. RAMEL (Philippines) noted that the challenges that the UNHCR continued to face included emergency preparedness and response capacity, security of humanitarian workers, management of complex population flows and peace-building and coexistence between refugees and local populations. His delegation welcomed the initiatives taken by the High Commissioner to make UNHCR's activities more efficient and would appreciate ongoing consultations and updates on the results achieved.

7. Under Action 1 on the definition of core and non-core functions of the Office, his delegation would like to see flexibility, taking into consideration the needs of refugees and other persons of concern in the different regions. UNHCR also had an important role to play with respect to internally displaced persons, who constituted about a third of the people in need of protection. Under Action 2, his delegation wished to stress the importance of transparency, fairness and consultations in the reduction of staff and operations. Lastly, under Action 3, his delegation supported the call for more predictable, adequate and timely contributions from the donor community to avoid the chronic budget shortfall and underfunding that negatively impacted on the work of the Office.

8. The Global Consultations had proved successful in reviewing the refugee instruments as the bedrock of the international protection regime and fostering dialogue among States and NGOs. A theme echoed at the Consultations was the building and strengthening of protection capacities. Along that line, regional processes helped to strengthen national and regional protection capacities. They also helped to better integrate regional cooperative mechanisms. In the Philippines' own region, it was worth noting that the sixth plenary meeting of Intergovernmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants, grouping countries of origin, transit and of destination, would be held in Manila in November 2001.

9. Lastly, the Philippines, a signatory party to the 1951 Refugee Convention and its 1967 Protocol, supported the adoption of a declaration at the ministerial meeting in December, marking the fiftieth anniversary of the Convention. In the follow-up action from the Global Consultations and the ministerial meeting, the search for durable solutions, including voluntary repatriation, local integration and resettlement, should be considered as possible elements for inclusion in an agenda of activities. As the High Commissioner had mentioned earlier, the protection of refugees was of limited value if durable solutions were not found.

10. Monsignor MARTIN (Holy See) recalled that, at the time of its publication, the 1951 United Nations Convention had undoubtedly been an innovative and courageous document. It was important to celebrate its fiftieth anniversary in that same spirit, since it would be sad to witness a subtle move towards a narrower and more restrictive interpretation of the Convention, leading to an erosion of the international protection system. The concept of asylum in fact constituted a major acquisition of modern international legal culture.

11. The increase of internal conflicts in the modern world had produced growing numbers of internally displaced persons. Unfortunately, the lack of a truly effective international protection system for those people was becoming more and more evident.

12. The full application of the Convention would require a larger and more predictable financial resource base for the Office of the High Commissioner. His delegation appreciated the efforts being made by the High Commissioner to ensure the most effective use of funds, but thought there was a limit to what could be achieved through efficiency measures. Going beyond that limit would mean wounding the very effectiveness of the Organization and its capacity to carry out its mission.

13. The adequate application of the Convention would also require a more just concept of burden-sharing. A disproportionally high burden for the international protection of refugees fell on poorer countries that very often played host to millions of persons displaced by conflict or insecurity. In other parts of the world, by contrast, new restrictions were making it even more difficult for people even to have recourse to the legal framework of protection based on the Convention. Those difficulties meant that at times people were being forced into the hands of unscrupulous networks of smugglers and had to have recourse to means outside the law.

14. The delegation of the Holy See wished to recall particularly the conclusions of the recent World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to the effect that racial discrimination was one of the factors that contributed to forced displacement. The Programme of Action at the Durban Conference addressed those special forms of intolerance which refugees faced as they endeavoured to settle in their host countries. In that respect, the Durban Conference had produced a strong reaffirmation of the commitment of States to respect and implement humanitarian obligations relating to the protection of refugees, asylum-seekers, returnees and internally displaced persons, but it had also stressed the fundamental concept that all people and individuals constituted one human family, within which there could be no place for theories of racial superiority.

15. Mr. DUQUE (Brazil) said that, along with human rights and international humanitarian law, refugee law constituted a fundamental pillar of the international regime for the protection of individuals. Unfortunately, despite all the efforts made by the UNHCR, which had been rewarded on two occasions by the Nobel Peace Prize, there were still reasons for concern. Protracted conflict situations in all continents prompted millions to seek safer havens.

16. Faithful to its position of recognizing the importance of ensuring respect for the 1951 United Nations Convention and its 1967 Protocol, the Brazilian Government supported the strict observance by all countries of the principles contained in such instruments, particularly the principle of non-refoulement, and it renewed its call to all countries that had not yet adhered to those instruments to do so.

17. The Brazilian Government attached great importance to the process of Global Consultations on International Protection, launched by the UNHCR. It was important that existing instruments should be reviewed in order to be updated and thus help the international community to respond to the developments which had taken place in the refugee situation over the last 50 years. New challenges had appeared, particularly related to groups of persons of special concern and to the HIV/AIDS pandemic. Furthermore, public perception of the refugee problem was being affected by episodes of people trafficking as well as by the waves of migrants for economic reasons. That led to unacceptable confusion, thereby justifying the need to reinforce procedures, such as identification used to determine refugee status.

18. Brazil was a party to both the 1951 Convention and the 1967 Protocol and had been a member of the Executive Committee since 1957. Besides hosting refugees, mainly from the African continent, Brazil had decided to be one of the new resettlement countries and had signed an agreement with the UNHCR to that effect in 1999. Resettlement would take place according

to specific projects, which would involve the High Commissioner, local governments, non-governmental organizations and other stakeholders. The commitment of the Brazilian authorities was not enough, however, and, despite the current severe budgetary restrictions, the Brazilian delegation reiterated that the presence of the UNHCR in the country would provide an important contribution to the successful implementation of those projects.

19. Ms. RODRIGUES (Mozambique) said that despite the efforts that the United Nations and the international community as a whole were deploying to tackle the refugee problem, the number of refugees was continuing to grow in various parts of the world. Alongside the massive movement of refugees, there were other phenomena such as illegal migration and human trafficking. The problem of former combatants had to be addressed in a concerted manner as a serious threat to the security of the refugee population and asylum-seekers. It was the prime responsibility of States to disarm combatants and separate them from civilian populations. States could also request international community assistance for the reintegration of former combatants in civilian life.

20. Urgent strategies were needed not only to educate local people away from discriminatory attitudes towards refugees, but also to shape mechanisms and systems to ensure their protection. The magnitude of the HIV/AIDS pandemic in refugee camps was another great challenge and, in that respect, attention should be given to providing refugees with the necessary information concerning prevention.

21. Despite all those challenges, it was gratifying to note that many countries continued to provide refuge to people in need. It was also encouraging to see that concerted efforts by Governments and the international community were being undertaken to address the root causes of population movements, including post-conflict confidence-building measures.

22. Her delegation was very concerned about the critical financial situation of the UNHCR. The reduction of its financial resources had severely affected the assistance provided to refugees, including the most vulnerable. Her country supported the initiatives launched by the High Commissioner aimed at re-examining the priorities of the UNHCR and finding ways of tackling them with available financial resources. Closer consultations involving host countries, donors, foreign and national NGOs and other stakeholders could contribute to the adoption of concerted and more effective measures leading to the improvement of living conditions of refugees. In that regard, her delegation welcomed the Global Consultations process and urged all States which had not yet done so to accede to the 1951 Convention and its 1967 Protocol.

23. The history of Mozambique in the last 40 years had been associated with the plight of refugees. In the past, many Mozambicans had found asylum in neighbouring countries and it was the turn of Mozambique, which was in a process of national reconstruction, to host an increasing number of refugees, mainly coming from the Great Lakes region. The Government of Mozambique, in close collaboration with the UNHCR, had decided to open a single refugee camp in the northern part of the country, but it needed the assistance of member States and the UNHCR to fulfil its international obligations and to create appropriate conditions in the new camp. It was therefore in favour of strengthening the capacity of the UNHCR representation in Mozambique.

24. Mr. CHIKEZ DIEMU (Democratic Republic of the Congo) thanked the United Nations for the positive role it was playing in the search for peace in the Congo. He also thanked the High Commissioner for his excellent cooperation with the country's authorities and strongly condemned the assassination of a member of UNHCR's staff and six ICRC agents.

25. The Democratic Republic of the Congo, which shared common borders with nine other African countries, had a tradition of hospitality and the refugees it took in from neighbouring countries lived in perfect harmony with local populations. Unfortunately, the Rwandan tragedy of 1994 had given rise to an unprecedented influx of refugees and three years of war, with tragic consequences: 338,450 Congolese refugees abroad, more than 2 million displaced persons, 37 per cent of the population affected by war, 47 per cent of the population with no access to drinking water, 2 million persons affected by AIDS, 2½ million civilian victims, multiple damage to the environment and the ecosystem, and the plundering of natural resources. The international community should as a matter of urgency use its moral authority to ensure that the aggressors withdrew from the Democratic Republic of the Congo, since the only suitable solution for the problems of refugees and displaced persons consisted in putting an end to war. For their part, the highest authorities in the country had launched a number of actions, both domestically and externally. They included improving the political scene and the macroeconomic framework, playing an active part in the Lusaka agreement and in dialogue within the country, the holding of five summit meetings between the Presidents of Rwanda and of the Democratic Republic of the Congo, and the disarming of 3,000 Rwandan combatants with a view to their repatriation. All those peace measures had run into a major obstacle in the form of the regrettable bellicose action of the occupation forces.

26. In order to enhance its support for refugees, his Government was intending to establish a real partnership with UNHCR in accordance with the Oslo Declaration, to involve NGOs more, to create awareness among public authorities and civil society in order to obtain more backing for repatriation and resettlement policies and projects in favour of displaced Congolese populations, to mobilize the assistance of development partners in favour of the resettlement of refugees and to strengthen refugee management capabilities through the Eligibility Commission.

27. There was an urgent need to give assistance to displaced persons living in his country as a result of war. The sad events of 11 September, which had been unanimously condemned, should not cause Africa to be forgotten. As far as his own country, more specifically, was concerned, peace was the only lasting solution to the humanitarian tragedy that was unfolding there. It was the duty of the international community to ensure that its commitments were successfully completed.

28. Mr. SEIF KHATIB (United Republic of Tanzania) joined other delegations in expressing his sympathy to the Government and the peoples of the United States and in condemning the terrorist acts perpetrated in September. He also deplored and condemned the murder of humanitarian staff and said that the international community should spare no effort to ensure their safety.

29. The refugee problem - bringing human tragedies, economic hardships and backwardness in its wake - seemed to have no end. It was a threat to host Governments. Tanzania was currently hosting close to 1 million registered refugees, about half of whom received assistance from UNHCR. Those refugees were a product of hostilities taking place in their respective countries of origin. The generosity of host countries alone was not a panacea for the refugee problem. An effort had to be made to eliminate the underlying causes of international conflicts.

30. His delegation associated itself with the observations made by the High Commissioner in his opening statement regarding the "mixed flows" of refugees and migrants. A special mechanism should be put in place to deal with the problem. Recently Tanzania had been facing an increase in economic and illegal migration and a corresponding abuse of the asylum procedures. The Government had no choice but to deal with the problem taking due account of national security requirements. The penetration of combatants among refugee populations was an increasingly disturbing issue. While it was primarily the responsibility of Governments to disarm and separate the combatants, UNHCR also had an obligation to act as a facilitator in ensuring that the separated combatants received care and maintenance assistance. The Tanzanian Government called on the international community to broaden its support in that regard. Tanzania continued to support all efforts in the direction of addressing the root cause of refugee crises. Several recent initiatives based on dialogue and reconciliation should help resolve the refugee problem. Recently, the Governments of Burundi and Tanzania and UNHCR had signed a tripartite agreement for the voluntary repatriation of Burundian refugees from Tanzania. The repatriation operation was to start as soon as possible and Tanzania therefore called for the support of the international community towards that end. Hosting refugees had always been an expensive task. Current conflicts in the world should not provide an excuse for shifting the burden of refugee assistance on to Africa, at the risk of increasing insecurity in host countries and unrest in refugee camps.

31. Ms. ABOULNAGA (Observer for Egypt) expressed her sympathy to the Government and people of the United States, as well as to all the Governments whose nationals had been the victims of the terrorist attacks perpetrated in September. She welcomed the High Commissioner's account of the year's achievements, of the challenges ahead and of the resources available to meet them. In such difficult times, special attention had to be given to the international protection of refugees and the Global Consultations process. Egypt for its part had made an active and constructive contribution.

32. Another of the questions raised by the High Commissioner which deserved close attention was that of financing. The principle of protection would remain a dead letter so long as the UNHCR was unable to overcome the current financial crisis and so long as the burden-sharing for hosting refugees remained in the realm of theory and discussion. The matter had recently been raised on several occasions, particularly at the regional meeting held in Egypt in July. Egypt called for the implementation of the paragraphs of the draft financial declaration of the ministerial meeting of States parties to the 1951 United Nations Convention relating to the Status of Refugees, which was to be held in December 2001, where attention was drawn to the importance of providing sufficient funding to UNHCR to enable it to fulfil its obligations towards all refugees without discrimination, in order to help them cope with their daily hardships, particularly in Africa.

33. The regional office of the UNHCR in Cairo, whose work Egypt had been supporting with whatever means it had available, was being affected by UNHCR's budgetary restrictions arising from those financial difficulties.

34. She wished the High Commissioner every success in his task and reaffirmed Egypt's willingness to cooperate with the UNHCR.

35. Mr. MICHELENA (Venezuela) said that, where refugee protection was concerned, States were bound by the standards and conclusions adopted by the international community. An effort should be made to encourage dialogue between States, as well with NGOs and other experts, in order to strengthen protection mechanisms, especially in view of the new reality of massive flows of refugees. The financial difficulties facing UNHCR were a matter of concern, to the extent that they might curtail its activities, especially in terms of action programmes needed for the protection of refugees, asylum-seekers and displaced persons. Venezuela hoped that the international community would duly fulfil its obligations, through cooperation mechanisms based on the principle of responsibility and burden sharing for the hosting of refugees, especially in situations of massive influxes. It was extremely important that the international community, through the UNHCR, should provide financial assistance to host countries which did not have the economic capacity to cope with constant, massive population flows and which were in danger of developing a kind of "hosting fatigue". Durable solutions could only be found by identifying the causes underlying those situations and adopting preventive measures.

36. In recent months, the Venezuelan Government had tightened its links and cooperation with UNHCR in the search for effective solutions to the problems of refugees and displaced persons. Its new Organic Law on refugees and asylum-seekers, which had been adopted in June, reflected the spirit of solidarity and fraternity with which Venezuela would continue to support the High Commissioner's task as far as its means permitted. After the tragic events which had recently occurred, the President of the Republic had announced that Venezuela would give its full support to UNHCR to deal with the humanitarian and refugee crisis occurring on the borders of Afghanistan. Consultations were under way in that respect with the competent authorities.

37. Mr. CHIKUNI (Observer for Malawi), speaking on behalf of the Southern Africa Development Community (SADC), expressed his sympathy to the Government and people of the United States of America for the tragic events of 11 September.

38. The countries of the Southern Africa region had traditionally offered asylum to refugees. During the long struggle for independence, it had sheltered refugees, freedom fighters and exiles fleeing from the atrocities perpetrated by colonial regimes. Since then, the causes that forced people to flee had changed. Civilians from a broad social spectrum had become targets and had been intentionally displaced or exiled. Local communities sometimes found it difficult to understand and adjust to those changing realities. And yet, the countries of the region were committed to maintain their traditions of asylum. There were 1.3 million refugees and nearly 6 million displaced persons currently in SADC countries, representing almost 11 per cent of refugees and 16 per cent of internally displaced persons in the world. During the meeting in

Gaborone (Botswana), organized jointly by the Regional Director of UNHCR for Southern Africa and the Executive Secretary of SADC, commissioners for refugees, persons dealing with refugee matters and SADC representatives had discussed current situations and problems, the achievements of member States and the contributions they had made. Almost every country in the region was a signatory to the 1951 United Nations Refugee Convention and its 1967 Protocol, to the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and to the major human rights instruments. The participants at the Gaborone meeting had welcomed the Global Consultations process and the forthcoming ministerial meeting to mark the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees. They had also welcomed the related meeting to discuss the Comprehensive Implementation Plan adopted by the Conakry meeting to mark the thirtieth anniversary of the 1969 OAU Convention. SADC intended to participate actively and constructively in that important event.

39. One of the primary challenges faced by Governments in the region was the issue of security. The main difficulty arose from the fact that combatants mingled with genuine refugees and asylum-seekers. It was a matter of urgency for the United Nations, with the support of the international community, to set up reliable and effective cooperation mechanisms and programmes that would assist member States to complete the exercise of separation, disarmament, encampment and resolution of the situation of former combatants. There was also a need to harmonize refugee status determination procedures and relevant laws, and consideration should be given to the possibility of amending national legislation and/or withdrawing reservations made at the time some of the legal instruments had been adopted. Furthermore, there was a need to establish more effective refugee management structures, to distinguish between refugee protection and migration control, and to assist internally displaced persons, who were a growing concern in the region of Southern Africa. The participants at the Gaborone meeting had recommended setting up a refugee forum, which would work closely with UNHCR under the umbrella of SADC. That recommendation would be presented to the respective ministers responsible for refugee matters in the months ahead and it was hoped that the SADC Council of Ministers would take up the matter in the short term. The purpose of the Forum would be to harmonize and/or formulate an SADC position on issues of common concern, and to exchange information and views on the ever-changing social and political dynamics that could affect refugee policy.

40. Many were the refugee hosting countries in Africa which were struggling to meet the very basic needs of their own populations. They could not do it alone, but they could, in collaboration with UNHCR, facilitate the ongoing peace processes on the continent.

41. With help, refugees could contribute to progress, could become self-sufficient and could be productive members of host societies. That would have the effect of diminishing xenophobic tendencies observed in certain instances, and would make refugees feel that they were part of their hosting communities. SADC countries were ready to play a full part in broadening support for refugees through regional and international partnerships, but they expected the international community to support their efforts by providing adequate and predictable resources to UNHCR.

42. Mr. BANGURA (Observer for Sierra Leone) said that his Government was determined to pursue the peace process initiated within the framework of the Abuja agreement reached with the Revolutionary United Front (RUF), through the efforts of the Economic Community of West African States (ECOWAS). As a result, close to 20,000 former combatants had been disarmed, so that it was hoped that civil authority would soon be re-established nationwide. With that development, Government and its humanitarian partners faced the daunting challenge of coordinating the resettlement of internally displaced persons and returnees. It was in that vein that a strategy had been worked out for the voluntary repatriation of refugees only to areas of the country that had been thoroughly assessed and declared safe. That meant the absence of hostilities, ongoing disarmament, the deployment of troops of the United Nations Mission in Sierra Leone (UNAMSIL) and the Sierra Leone armed forces (SLAs), the presence of local and civil authorities and unhindered humanitarian access. The Sierra Leone Government wished to thank the various Governments and agencies which had helped it ensure the repatriation and resettlement of refugees in safety and dignity.

43. Mr. de JONGE (Council of Europe) said that the fiftieth anniversary of the United Nations Convention relating to the Status of Refugees offered an eminent occasion for the Council of Europe to highlight its close relationship with UNHCR and their common concern to protect the rights of refugees and displaced persons. It was in that spirit that the Parliamentary Assembly of the Council of Europe had recently recommended that its member States should reconsider reservations made to some of the provisions of the 1951 Convention and remain vigilant on asylum issues. For the past five years, UNHCR and the Council of Europe had been implementing a joint technical assistance programme in selected countries of south eastern and eastern Europe, on questions such as nationality, the development of national NGO legislation and the complementarity of the European Convention on Human Rights and the 1951 Convention relating to the Status of Refugees.

44. The right to family life was one of the basic human rights secured by international legal instruments and in particular article 8 of the European Convention on Human Rights. That was why the Parliamentary Assembly of the Council of Europe recommended the introduction of legal guarantees to safeguard the right to family reunion and the harmonization of regulations at European level. The Assembly also intended to propose urgent measures at European level to ensure that expulsion procedures were in conformity with human rights and were enforced with respect for personal safety and dignity. Finally, the Council of Europe would shortly be adopting a recommendation on subsidiary protection, based on the recognition that not every person in need of international protection fulfilled the criteria for refugee status in the meaning of the 1951 Convention and its 1967 Protocol. The aim of the recommendation was to ensure that such persons were able to seek and enjoy protection and adequate treatment in host countries with full respect paid to their human rights.

45. Mr. GEDDA (Observer for Djibouti) said that the Reconciliation Conference on Somalia, organized by his country, had led to the establishment of a new Parliament and the election of a transitional president, opening the way for the repatriation of some 30,000 Somali refugees

living in Djibouti for over two decades. His Government appealed to the international community to persuade the Somaliland authorities, who were still opposed to the voluntary repatriation of their nationals. The traditionally untouchable principle of non-interference in the internal affairs of a country should be critically reconsidered, since certain principles were undeniably universal in their scope, such as democracy, respect for human rights and the obligation to assist populations in distress. Materially speaking, his Government also relied on the international community to help it meet the considerable cost of repatriating refugees and rehabilitating the regions that had hosted them. The principle of solidarity was all the more important in that the developing countries, which hosted the greatest number of refugees, did not have the necessary resources to meet the latter's needs. It was that same poverty that gave rise to the current massive migration flows, towards which the wealthy countries should show understanding and compassion.

46. Mr. MABALA (Observer for Gabon) said that his country, with a population of only 1,500,000 inhabitants, hosted almost 17,000 refugees, which added considerable pressure to existing major socio-economic problems. His Government therefore counted on the UNHCR's assistance, in the form in particular of training programmes to enable the staff of the new National Commission for Refugees to carry out its two main duties, namely to register refugees and to inform them of the rights relating to refugee status. The Commission also needed material and financial assistance to meet its protection commitments. Many refugees in urban areas did not receive food or medical aid from UNHCR partner organizations and appealed instead to the National Commission, which found it difficult to explain to its own nationals that they were not entitled to its help. That highlighted the importance of a sectoral cooperation programme to overcome that difficulty, which could otherwise jeopardize the extreme generosity of Gabon's asylum policy.

47. Mr. NKURUNZIZA (Observer for Burundi) said that inter-Burundian negotiations had led on 28 August 2000 to the signing of a peace and reconciliation agreement, which could unfortunately not be implemented owing to the lack of a ceasefire between belligerents. Some armed groups had still not approved the agreement, intensifying instead their attacks against civilian populations and targets. The international community should consider such acts of violence as a refusal to negotiate and should take appropriate measures, including sanctions. The return to peace and safety throughout the country and the implementation of the peace and reconciliation agreement would enable large numbers of Burundian refugees to return home. On 8 May 2001, anticipating that mass return, his Government had signed a tripartite agreement with the Government of Tanzania and UNHCR and set up a technical working group on repatriation. A plan had been drafted, the main components of which were the improvement of reception and transit infrastructures, the restoration of access paths, the inventory of available lands and the registration of refugees.

48. Since the beginning of the year, more than 20,000 Burundian refugees had spontaneously left Tanzania to return to the homeland. His Government would prefer such repatriation to be organized, however, rather than spontaneous, which would require an enlargement of the

UNHCR's local administrative services, in terms of both more staff and more material and financial resources. The plan to cut the UNHCR's staffing and budget in Burundi should be suspended until a round table could be held as soon as possible with the main sponsors. He hoped that the Executive Committee would hear his plea and he called on the international community to support the Burundian refugee repatriation plan financially. He expressed his gratitude to bilateral and multilateral sponsors who had pledged contributions for repatriation operations in Burundi at the special conference organized for that purpose in Paris in December 2000. The time had come to honour those pledges.

49. Mr. TROJAN (Observer for the European Commission) said that his organization was firmly committed to continue supporting UNHCR's action to protect refugees and to find durable solutions to their plight. The Commission welcomed and supported the High Commissioner's efforts to strengthen the strategic position of UNHCR, to enforce dialogue with stakeholders and to enhance financial health and stability. A number of initiatives were being taken in the Commission to facilitate programmed support for UNHCR, particularly with regard to data management about refugees, to the needs of specially vulnerable groups and, last but not least, the security of relief workers in the field.

50. The Commission's commitment to help refugees and displaced persons should be seen in the wider context of its contribution to the world's peace and stability. The Commission's approach was to go beyond humanitarian assistance with a view to encompassing a longer term development perspective. A special budget had been set aside to finance voluntary repatriation, local integration and the resettlement of refugees and displaced persons in Asia, Latin America and Africa. In response to the current crisis in Afghanistan, the European Commission had reacted quickly with a first commitment of 4 million Euro, of which 2 million had been allocated to UNHCR. In addition a request was being prepared to mobilize a further 25 million Euro, part of which would be directed towards programmes managed by UNHCR. That would bring the total European Commission aid to the victims of the Afghan crisis to 75.5 million Euro in 2001.

51. With regard to general policy, the Commission had adopted two major policy papers, one on a common asylum procedure, valid throughout the European Union, and another on the establishment of a Community immigration policy. On the legislative front, negotiations were under way on minimum standards for fair and efficient asylum procedures and on reception conditions for asylum-seekers. The aim was to guarantee a minimum level of protection in all Member States for those who were genuinely in need of international protection. From a financial point of view, a new instrument had been created in 2001 to assist countries of origin and transit in the field of asylum and migration and to enhance capacity building of host countries.

52. Mr. CASTRILLON (Observer for Ecuador) said that the fiftieth anniversary of the adoption of 1951 Convention relating to the Status of Refugees should be an opportunity to make lasting improvements in the refugee protection regime, particularly with regard to the right of asylum and the obligation of non-refoulement, two principles which should be reconfirmed in the declaration to be adopted at the ministerial meeting planned for December 2001.

53. States, the international organizations and civil society must combine their efforts in order to ensure that the rights of refugees were respected and to find durable solutions to the refugee problem. Radical measures must also be taken to improve the security of humanitarian staff so that they could work without risking their lives.

54. His Government called on the High Commissioner to provide continued support and assistance to meet the growing needs arising in Ecuador from population displacements caused by the armed conflict in Colombia and the consequences of the "Colombia Plan".

55. Finally, Ecuador hoped that the proposal to enlarge the Executive Committee of the High Commissioner's Programme from 58 to 61 members would be adopted by the United Nations General Assembly at its fifty-sixth session.

56. Mr. MONZOULE (Observer for the Central African Republic) said that the principles of international solidarity and burden-sharing with regard to refugees should apply not only in periods of crisis but at all stages, from prevention to rehabilitation. The Central African Republic was determined to respect the 1951 Convention, so long as the hospitality granted to refugees did not jeopardize its security. In view of the dangers inherent in the presence of refugees within the country, the Central African Government requested the High Commissioner to facilitate their return to their countries of origin or first asylum. As far as its own nationals who had fled to neighbouring countries were concerned, the Central African Republic requested UNHCR to identify and disarm those carrying arms, to separate out the armed refugees from civilians and to transfer those refugees 150 km away from the common frontier in the case of the military and armed refugees and 100 km away for civilians.

57. Mr. DJINNIT (Organization of African Unity) referred to the need to address the root causes of the problem of refugees in Africa generated by the unprecedented number of conflicts afflicting the continent, a problem which the 1969 OAU Convention on Specific Aspects of Refugees in Africa had already identified. As far back as 1993, the OAU had provided itself with a mechanism for conflict prevention, management and resolution. Since then, many other subregional organizations had followed suit in setting up similar mechanisms. Those efforts had been followed up by men and women at the grassroots level, in particular women's associations and networks. Encouraging results were emerging in the peace processes between Ethiopia and Eritrea, in the Democratic Republic of the Congo, in the Mano River region and to some extent in Burundi. Those achievements highlighted the need to strengthen partnerships within the international community in order to put an end to conflicts.

58. As preparations were being made to celebrate the fiftieth anniversary of the 1951 United Nations Convention relating to the Status of Refugees, he reiterated OAU's continued commitment to work hand in hand with the UNHCR through the effective execution of the joint Comprehensive Implementation Plan. The OAU also hoped that the Executive Committee, in adopting the programmes of the UNHCR, would recognize the magnitude of the suffering of the refugees in Africa.

59. Lastly, the OAU unequivocally condemned the terrorist attacks recently perpetrated against the United States, which constituted a serious challenge to international peace, security and stability with far-reaching implications including potential for humanitarian crisis.

60. Mr. EL SAYED (Organization of African Unity) gave an account of the work carried out with refugees, returnees and displaced persons by the OAU Commission, on which all members States of the OAU were represented since 1997. The OAU acted in close consultation with UNHCR. In January and February 2001, a joint mission had been undertaken in Zambia. That had been followed by another mission to the Central African Republic and the Democratic Republic of the Congo to visit the camps of refugees and displaced persons. Immediately after assuming his post, the new High Commissioner had met at OAU headquarters with African authorities dealing with matters of mutual interest relating to refugees.

61. Many States were currently tackling the root causes of the refugee problem. In some countries the implementation of agreements had created an atmosphere conducive to the promotion of voluntary repatriation and many refugees had been able to return home over the years. The Commission therefore urged the international community fully to support all negotiations leading to peace, especially in Africa.

62. There were currently four times as many displaced persons in Africa as refugees. And yet there was no humanitarian agency with an exclusive operational mandate to deal with their plight. It was therefore hoped that the matter would be seriously discussed in the course of the next Global Consultations.

63. In accordance with the programme adopted in 1996, the Commission had recently undertaken with the OAU Secretariat fact-finding missions to eight member States. Those missions had led to recommendations, drawing attention in particular to the need for member States to implement provisions that protected the rights of refugees, but also those that defined the refugees' obligations, ensuring that they did not become involved in subversive activities or rebellious movements in the host countries. The member States had also been called upon to reflect in depth on ways of improving the security not only of refugees but also of humanitarian workers, in view of the challenges arising from the presence of armed persons in refugee camps.

64. If Africa was ever to overcome the refugee problem on the continent, a partnership must be formed with the international community as a whole, based on the principles of international solidarity, cooperation and commitment.

65. Mr. RUSSEL (International Council of Voluntary Agencies), expressing the concern of NGOs at the unfolding crisis in Afghanistan, urged neighbouring countries to respect the cardinal principle of non-refoulement and to open their borders to refugees in search of protection. The international community was strongly urged, however, to provide support to those countries so as to enable them to ensure the security of refugees in a conformity with the recent conclusions of the Global Consultations. In view of the danger of a mass exodus from Afghanistan, a humanitarian evacuation programme might become necessary. If so, lessons should be learned from the Kosovo experience and steps should be taken to strengthen regional coordination arrangements.

66. The NGOs noted with considerable concern that as a result of the recent attacks in the United States, several Governments were tightening, or had proposed to tighten, immigration controls, especially by extending the scope of provisions governing the detention of asylum-seekers. It was particularly unacceptable that several Governments had made statements that linked asylum and terrorism, since such statements were xenophobic and harmful to the right to seek asylum enshrined in the Universal Declaration of Human Rights.

67. The situation in Afghanistan should not detract from efforts to find solutions to other continuing crises, such as in Angola and in Sierra Leone, to take only two examples.

68. NGOs had welcomed the debate during the Global Consultations on improving implementation of the Refugee Convention and/or Protocol and were committed to developing and participating in the follow-up Agenda for Protection. They urged those States that had not yet done so to accede to the Refugee Convention, without reservations.

69. The NGOs had noted with satisfaction the determination of the High Commissioner in Actions 1, 2 and 3 to focus on the core protection mandate of UNHCR. Lastly, they called upon UNHCR and other United Nations agencies to fully participate in the newly created Internal Displacement Unit within the Office for the Coordination of Humanitarian Affairs.

The meeting rose at 6.05 p.m.